

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ADVANCED CAPITAL COMMERCIAL GROUP, INC.,

Plaintiff

CIVIL ACTION NO:
CV-09-5558

-against-

JOSEPH SUAREZ a/k/a JOSE GILBERTO SUAREZ, JR.,
SUAREZ INVESTMENTS & DEVELOPMENT, L.L.C.,
KATHERINE FERRO, and LAW OFFICES OF
KATHERINE FERRO, P.A.,

ORDER GRANTING
PRELIMINARY
INJUNCTION

Defendants.

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Upon reading and filing the affidavit of Frank J. Romano, Esq. dated March 1, 2010, the affidavit of Robert Russo dated March 1, 2010, the accompanying Memorandum of Law in Support of Plaintiff's Order to Show Cause for a Temporary Restraining Order dated March 1, 2010, the exhibits submitted therewith, the pleadings and proceedings had herein; and

The Plaintiff having moved by Order to Show Cause signed by the Honorable Denis R. Hurley on March 3, 2010 seeking a temporary restraining order, a preliminary injunction, an accounting of certain monies and property, and an expedited discovery schedule; and

The Plaintiff having appeared before this Court on March 5, 2010 and Defendants, Katherine Ferro and the Law Offices of Katherine Ferro, P.A., having appeared at such time via telephone and Defendants, Joseph Suarez and Suarez Investments & Development, L.L.C., having failed to appear in person or by counsel at such time; and

A temporary restraining order having been signed by the Honorable Denis R. Hurley on March 5, 2010; and

The Defendants having signed several stipulations acknowledging the general jurisdiction of this Court over them and acknowledging service of the Summons, Complaint, and Order to Show Cause upon them; and

The Defendants having signed a stipulation dated May 21, 2010 consenting to the entry of an Order granting all relief requested in Plaintiff's Order to Show Cause dated March 5, 2010; it is hereby

ORDERED, that the Defendants, their officers, directors, partners, affiliates, members, agents, employees, assigns, and/or any other persons or entities acting on behalf of the Defendants are hereby restrained and enjoined from, directly or indirectly, transferring, disposing, selling, alienating, concealing, converting, liquidating, encumbering, pledging, mortgaging or disposing of any real or personal property of any kind belonging to any of the Defendants or in which any of the Defendants have any interest whatsoever; and it is further

ORDERED that the Defendants shall furnish to Plaintiff's attorney within 7 days of the service of this Order an accounting of the \$500,000.00 that was deposited by Plaintiff in the attorney escrow account of Defendants, Katherine Ferro and Law Offices of Katherine Ferro, P.A.; and it is further

ORDERED that Defendants shall provide to Plaintiff's attorney within 7 days of the service of this Order hereof an accounting of any property, real or personal, in which any of the Defendants have any interest whatsoever, actual or equitable; and it is further

ORDERED, that Plaintiff may immediately serve subpoenas and otherwise engage in discovery forthwith for any purpose related to this action including, but not limited to, locating the money that was removed by Defendants from Defendants' attorney escrow account; and it is further

ORDERED, that the \$5,000.00 deposited by Plaintiff with the Clerk of the Court in an interest bearing account as security remain on deposit as security for payment of costs and damages in the event that Defendants demonstrate that they have been wrongfully restrained and enjoined.

Dated: Central Islip, New York
July ___, 2010

U. S. D. J.